

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	14/02/19
Planning Development Manager authorisation:	AN	18/2/19
Admin checks / despatch completed	SB	18/02/19.

SB

Application: 19/00001/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mrs Susan Moore

Address: Woodcott Dedham Road Ardleigh

Development: Proposed replacement dwelling.

1. Town / Parish Council

Ardleigh Parish Council No comment.

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The proposal will utilise the existing vehicular access and includes adequate room for off street parking and turning, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

2. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

' Comments have been made on planning drawing 50-2018-03 Rev P, the garage/cart lodge and vehicle parking arrangements are acceptable as shown on this drawing.

' All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

' The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways
Colchester Highways Depot
653 The Crescent
Colchester
CO4 9YQ

pp Director for Highways & Transportation
Enquiries to Caroline Tracey
Telephone: 03330 130119
Email: caroline.tracey@essex.gov.uk

Building Control and
Access Officer

Cartlodge rear wall will need to be fire resisting. Otherwise no comments at this time.

Colchester Borough
Council

No comments.

Tree & Landscape Officer

The front garden of the application site is set to grass with established boundary hedges. There are no trees or other significant vegetation situated in the front garden.

The rear garden has been laid out with trees and shrubs with the largest trees situated at the bottom of the garden. There is a small Laburnum situated centrally that may be affected by the development proposal, but the tree has little visual amenity value as it cannot be seen from a public place.

The larger trees, at the bottom of the rear garden, comprising Willow, Hazel and Ash will not be affected by the development proposal.

Ideally the hedgerows to the front garden should be retained for the softening effect they will have on the proposed development. If they were to be removed to facilitate the development then their replacement should be secured by a condition attached to any planning permission that may be granted.

3. Planning History

N/A

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG14 Side Isolation

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL3 The Rural Landscape

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application site is Woodcott, which is a single storey detached residential setting located along the eastern section of Dedham Road, within the parish of Ardleigh. The character of the surrounding is relatively urbanised, with residential dwellings adjacent to the north and south, with further properties along Hunters Chase to the south-east. However, further out to all sides the character takes on a more rural feel, with large areas of agricultural and grassed land. The site does not fall within a recognised Settlement Development Boundary, as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft. The nearest settlement is Ardleigh, approximately 0.8 miles to the south.

Proposal

This application seeks planning permission for the demolition of the existing dwelling and the erection of a replacement 1.5 storey detached dwelling, which will measure 8m in height, 12.6m in width and 12.8m in depth. The dwelling will serve four bedrooms and be constructed with a mixture of render, red brick, terracotta tile and black stained boarding.

The original plans included a garage/car port that was to be sited to the front of the proposed dwelling. However, Officers raised concern with the size and bulk in such a prominent location. Accordingly revised plans were submitted to reduce the size to a single garage and have relocated it to the side/rear of the property.

Assessment

1. Principle of Development

The proposal involves the one for one replacement of a dwelling outside of any defined settlement boundary and is therefore acceptable in principle subject to detailed consideration against saved policy HG12. Saved policy HG12 states replacement dwellings will be permitted provided it:

(i) is of a size, scale, and height in keeping with the character of the locality and in terms of design and materials would make a positive visual contribution to its setting;

There is no set character to the surrounding area, with the existing residential built form comprising of single, 1.5 storey and two storey detached and semi-detached properties of varying design. It is acknowledged that the replacement is of a larger size than the existing dwelling, both in terms of its height and footprint. However this larger footprint is consistent with the adjacent two properties to the south, while the proposed height, which is 2m higher than existing, will relate well to 'Inglenook' adjacent. Further, in terms of the design it is acknowledged that effort has been made to ensure the dwelling includes interesting features to break up its bulk; for example the use of front, rear and side dormers, and a front gable, chimney and brick plinth. This design is largely in keeping with 'Inglenook' to the south. Whilst the proposal greatly differs from the existing design, it is considered to be of a good modern design with minimal harm identified, thereby resulting in a visual enhancement to the surrounding area. The proposal is therefore acceptable against this criterion.

(ii) is well related and in proportion to the original dwelling;

It is accepted that the proposed replacement dwelling is of a greater size than the existing dwelling; however the site is of a significant size comfortably able to accommodate such a proposal. Therefore, on balance, the identified harm is not significant enough to warrant a reason for refusal.

(iii) it is not visually intrusive on a skyline or in the open character of the surrounding countryside;

The application site is set back from the street scene further than the existing dwelling, and is located more in-keeping with the pattern of development alongside this section of Dedham Road. Given the existing residential development to both the north and south, this ensures that the site

cannot be characterised as open and therefore there is not considered to be any loss of views of the open countryside as a result.

(iv) it retains sufficient space around the dwelling to protect its setting, that of any associated small group of rural housing, and the amenity and character of the countryside;

The site is located relatively close to its northern boundary; however does ensure 1m separation in accordance with Policy HG9 of the Adopted Local Plan. To the southern boundary, the proposed single garage will adjoin the boundary, resulting in a small loss of the existing Laurel hedging. However given the surrounding residential development, this loss will not result in a harmful impact to the areas character and the dwelling will not appear cramped in this location.

The Council's Tree and Landscapes Officer has stated a small Laburnum located centrally to the rear of the garden area may be affected but has little visual amenity value due to not being visible. Other larger trees, comprising Willow, Hazel and Ash will not be affected, while the surrounding boundaries are softened with existing Laurel hedging.

Therefore this criterion is met.

(v) would not represent over-development of the site;

The site provides parking and amenity space in excess of the local plan requirements. The dwelling would therefore not represent over-development of the plot.

(vi) would not be detrimental to highway safety;

As a result of the proposal, access arrangements to the site will remain unchanged. Adopted Essex Highway Standards state that a parking space should measure a minimum of 5.5m x 2.9m or a garage, if being used as a parking space, should have minimum internal measurements of 7m x 3m. Whilst the proposed garage does not meet the above requirements, there is significant area to the front of the site to accommodate the parking of the two necessary vehicles. Essex Highways Authority have been consulted and subject to conditions raise no objections.

(vii) would not adversely affect adjoining properties or main habitable rooms in terms of privacy, amenities and aspect;

The adjacent neighbouring property to the north is 2 Ardleigh Road; however there is an approximate 30m separation distance and existing mature vegetation to ensure a neutral impact to their amenities.

With respect to 'Inglenook' to the south, the proposal is more closely related. A separation distance of 6m is maintained though, which will ensure no significant loss of light the dwelling appearing imposing. It is noted the garage is located to the boundary. However, it is important to note that the hedging could be removed and a garage measuring 2.5m in height could be erected under permitted development rights. Given this, and that the roof is pitched, the harm to the neighbouring properties amenities is not, on balance, considered excessive enough to warrant a refusal reason.

(viii) would not replace an existing permanent dwelling which is capable of reasonable improvement and extension and which makes a positive contribution to local character;

The building is not in a poor state of repair and is therefore capable of reasonable improvement or extension; however the existing dwelling does not make a significantly positive contribution to the local character to the extent that its removal would create a negative impact. Therefore the replacement dwelling will result in a neutral impact to the areas local character.

(ix) would not be a replacement for a mobile home, dwelling already demolished or abandoned, or a building not in lawful use as a dwelling house; and

This criterion is met.

(x) would not exacerbate any existing access, drainage or other problems associated with the site.

The proposal is not believed to exacerbate any of the above issues and is therefore acceptable against this criterion.

Other Considerations

Ardleigh Parish Council has not commented.

There has been no other letters of representation received.

Conclusion

In the absence of significant material harm as a result of the proposed development, this application is recommended for approval.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 50-2018-01P, 50-2018-02P, 50-2018-03PA, 50-2018-04PA, 50-2018-06PA, 50-2018-07P and the document titled 'Design and Access Statement'.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 4 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.